



City of Marietta

Meeting Minutes

COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, July 6, 2009

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:15 p.m.

MINUTES:

20090707 Regular Meeting - June 8, 2009

Review and approval of the June 8, 2009 regular meeting minutes.

A motion was made by Council member Lewis, seconded by Council member Chalfant, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 1

Approved

Abstain: 1 - Jim King

Absent for the vote: Rev. Anthony Coleman

BUSINESS:

20090652 Housing Choice Voucher Program (HCV)

Approval of a Resolution authorizing acceptance of the FY2009 Housing Choice Voucher Annual Plan.

Mayor Dunaway opened the public hearing for comments regarding the Housing Choice Voucher Program (HCV). Seeing no one wishing to speak, the public hearing was closed.

A motion was made by Council member King, seconded by Council member Walquist, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20090690 BLW Report

Report by Councilman Jim King on the actions of the BLW at their meeting held Monday, July 6, 2009.

Council member Jim King reported on the actions of the Board of Lights and Water at their July 6, 2009 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the July 6, 2009 regular Board of Lights and Water meeting minutes for details.)

This matter was Reported.

20090698 Marietta Redevelopment Corporation Officers

Consideration of appointments for Chairman and Vice Chairman of the Marietta Redevelopment Corporation, as recommended by the Board.

A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20090666 Department of Justice Grant

Budget Amendment for Stimulus Grant from the United States Department of Justice in the amount of \$230,918.00.

A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20090632 Theatre in the Square

Motion approving a request by Theatre in the Square to encroach on city right-of-way to support three (3) columns to support a new building facade and marquee (each column shall encroach into the sidewalk by 18" and shall have footings underneath the sidewalk which shall encroach 24". Approval is also granted for an existing encroachment at the location of the box office of 24". This approval is conditioned upon the receipt of Indemnity Agreements approved by the City Manager and City Attorney. This item was requested to go on the agenda by Mayor Bill Dunaway.

Council member Goldstein disclosed that he is the landlord for the Theatre in the Square and he abstains on matters dealing with Theatre in the Square. Council member Goldstein then left the conference room.

Discussion was held regarding a request to construct portions of building within city right-of-way. City Attorney Doug Haynie mentioned that a Temporary Revocable License Agreement would need to be approved, along with an Indemnity Agreement. Mr. Haynie would provide the exact language for the Council agenda.

This matter is already on the Council agenda.

This matter was Discussed.

Council member Goldstein returned to the conference room.

20090705 Smoking in Glover Park

Discussion regarding smoking in Glover Park.

Staff was directed to add an item to the Council agenda amending the Personnel Rules and Regulations that prohibits City employees from smoking in Glover Park as well.

This matter was Recommended for Council Agenda Non Consent.

20090630 2005 SPLOST Re-allocation

Motion authorizing a 2005 SPLOST project budget reallocation transferring \$1,846,307 funding from project number 280-2033-535-7930-A1, Powder Springs to South Cobb Connector to project number 280-2033-535-7957-P2, Powder Springs Streetscapes as shown on the attached table as requested by Council member Grif Chalfant.

This matter is already on the Council agenda.

This matter was Discussed.

20090710 South Marietta Parkway/Powder Springs St. and Whitlock Ave. 2005 SPLOST Improvements

Motion approving a concept drawing for 2005 SPLOST improvements along South Marietta Parkway between Powder Springs Street and Whitlock Avenue as shown on map on file with the Public Works Department labeled "Approved July 8, 2009."

Council member Goldstein disclosed that he owns property fronting South Marietta Parkway between Mill Street and Polk Street and fronting on Mill Street. Council member Goldstein then left the conference room.

A motion was made by Council member Walquist, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

Absent for the vote: Philip M. Goldstein

20090711 South Marietta Parkway between Whitlock Ave. and Polk Street 2005 SPLOST Improvements

Motion approving a concept drawing for 2005 SPLOST improvements along South Marietta Parkway between Whitlock Avenue and Polk Street as shown on map on file with the Public Works Department labeled "Approved July 8, 2009."

Council member Goldstein previously disclosed that he owns property fronting South Marietta Parkway between Mill Street and Polk Street and fronting on Mill Street.

A motion was made by Council member Walquist, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

Absent for the vote: Philip M. Goldstein

Council member Goldstein returned to the conference room.

20090712 South Marietta Parkway between Polk St. and Kennesaw Ave. 2005 SPLOST Improvements

Motion approving a concept drawing for 2005 SPLOST improvements along South Marietta Parkway between Polk Street and the Kennesaw Avenue Overpass as shown on map on file with the Public Works Department labeled "Approved July 8, 2009."

A motion was made by Council member Walquist, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20090706 Parks and Recreation Bond Referendum

Discussion of the Parks and Recreation Bond Referendum.

This matter was Discussed.

20090691 Draft Agenda

Review of the draft agenda for the July 8, 2009, regular city council meeting.

Discussion was held regarding the draft agenda and the following amendments were made:

-under Minutes: Agenda item 20090708 was added to the consent agenda.

-under Ordinances: Agenda items 20090668, 20090669 and 20090675 were removed from the agenda.

-under Economic/Community: A Public Hearing was added to agenda item 20090626.

-under Judicial/Legislative: Agenda item 20090620 was added to the consent agenda.

-under Parks and Rec.: A disclosure by Council member Goldstein was added to the agenda, also that he abstains.

-under Other Business: Agenda item 20090709 was added to the consent agenda.

This matter was Discussed.

20090692 Executive Session

Executive Session to discuss legal, personnel and/or real estate issues.

A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to enter an Executive Session to discuss real estate acquisition and legal matters. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to close the Executive Session. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

A motion was made in open session by Council member Goldstein, seconded by Council member Pearlberg, to enter an Executive Session to discuss real estate acquisition, legal and personnel matters. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment B).

A motion was made in open session by Council member Walquist, seconded by Council member King, to close the Executive Session. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

A motion was made by Council member Chalfant, seconded by Council member King, to add an item to the Council agenda authorizing the acquisition of property located at 690 Powder Springs Road on behalf of the City of Marietta by means of eminent domain. The motion carried by the following vote:

7 - 0 - 0

Approved

A motion was made by Council member King, seconded by Council member Chalfant, to add an item to the Council agenda authorizing the acquisition of property located at 317 Fairground Street on behalf of the City of Marietta by means of eminent domain. The motion carried by the following vote:

7 - 0 - 0

Approved

ADJOURNMENT:

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____